



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

30 December 2011

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AAC = Alabama Administrative Code	NMED = New Mexico Environment Department
AB = Assembly Bill	NO _x = Nitrogen oxides
ADEM = Alabama Department of Environmental Management	NPDES = National Pollutant Discharge Elimination System
ARB = Air Resources Board	NSPS = New Source Performance Standard
CCR = <i>California Code of Regulations</i>	NSR = New Source Review
CFC = Chlorofluorocarbon	OAC = Ohio Administrative Code
CFR = <i>Code of Federal Regulations</i>	ODS = Ozone depleting substance
CISWI = Commercial and industrial solid waste incinerator	OEPA = Ohio Environmental Protection Agency
CO ₂ = Carbon dioxide	OSHA = Occupational Safety and Health Act
COMAR = <i>Code of Maryland Regulations</i>	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CRNR = California Regulatory Notice Register	R-600a = Isobutane
CUP = Consumptive Use Permit	REACH = Registration, Evaluation, Authorization and Restriction of Chemicals
DAPC = Division of Air Pollution Control	RECLAIM = Regional Clean Air Incentives Market
DSW = Division of Surface Water	RIN = Regulatory Identification Number
DTSC = Division of Toxic Substances Control	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EA = Environmental assessment	RTC = RECLAIM trading credit
ECHA = European Chemicals Agency	RWQCB = Regional Water Quality Control Board
EPA = U.S. Environmental Protection Agency	SIP = State Implementation Plan
EU = European Union'	SJRWMD = St Johns River Water Management District
F.A.C. = Florida Administrative Code	SNAP = Significant New Alternatives Policy
FAW = <i>Florida Administrative Weekly</i>	SNUR = Significant New Use Rule
FONSI = Finding of no significant impact	SO _x = Sulfur oxides
FR = <i>Federal Register</i>	SVHC = Substances of very high concern
GHG = Greenhouse gas	SWQB = Surface Water Quality Bureau
HB = House Bill	TMDL = Total maximum daily load
HCFC = Hydrochlorofluorocarbon	U.S. = United States
HMR = Hazardous Materials Regulations	USML = United States Munitions List
LDEQ = Louisiana Department of Environmental Quality	VAC = Virginia Administrative Code
Md.R. = <i>Maryland Register</i>	VA.R. = <i>Virginia Register</i>
MPA = Marine protected area	VDEQ = Virginia Department of Environmental Quality
NAAQS = National Ambient Air Quality Standards	VOC = Volatile organic compound
NASA = National Aeronautics and Space Administration	WFF = Wallops Flight Facility
NESHAP = National Emission Standards for Hazardous Air Pollutants	
NMAC = New Mexico Administrative Code	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED123011-1	Air Emissions – Carbon	12/23/2011	76 FR 80368	Notice Meeting	U.S. Environmental Protection Agency Notification of Teleconferences of the Science Advisory Board Biogenic Carbon Emissions Panel Announces two teleconferences to review EPA's draft Accounting Framework for Biogenic CO₂ Emissions from Stationary Sources (September 2011) . Teleconferences are scheduled for the following dates: ▪ 01/27/2012 ▪ 03/20/2012	
FED123011-2	Air NAAQS–Ozone	12/20/2011	76 FR 78872	Notice	U.S. Environmental Protection Agency EPA Responses to State and Tribal 2008 Ozone Designation Recommendations: Notice of Availability and Public Comment Period [40 CFR Part 81] Announces availability of EPA's responses to state and tribal designation recommendations for the 2008 Ozone NAAQS. Comments due 01/19/2012. Further information about this action is available on EPA's website. List includes designations in the District of Columbia and 26 states, including California, Louisiana (Baton Rouge area), Maryland, Mississippi (Memphis area), Ohio, Texas, and Virginia.	NASA-related facilities in affected states should be aware of this action.
FED123011-3	Air NESHAP–Boilers	12/23/2011	76 FR 80531	Proposed Rule	U.S. Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers [40 CFR Part 63] Proposes a limited number of final rule (76 FR 15554 , 03/21/2011) amendments and technical corrections to clarify applicability and implementation issues. Comments due 02/21/2012. [RIN 2060-AR14]	
FED123011-4	Air NESHAP–Boilers, Process Heaters	12/23/2011	76 FR 80597	Proposed Rule	U.S. Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [40 CFR Part 63] Announces reconsideration of several provisions of the final rule (76 FR 15608 , 03/21/2011). Also proposes amendments and technical corrections to the final rule to clarify definitions, references, applicability, and compliance issues. Comments due 02/21/2012. [RIN 2060-AR13]	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED123011-5	Air NESHAP– Incinerators	12/23/2011	76 FR 80451	Proposed Rule	U.S. Environmental Protection Agency Commercial and Industrial Solid Waste Incineration Units: Reconsideration and Proposed Amendments; Non-Hazardous Secondary Materials That Are Solid Waste [40 CFR Parts 60 and 241] Announces reconsideration of the final new source performance standards and emission guidelines for CISWI units (76 FR 15266 , 03/21/2011). Also proposes amendments to the Non-Hazardous Secondary Materials rule to clarify several provisions in order to implement the rule as EPA originally intended. Comments due 02/21/2012. [RIN 2060-AR15 and 2050-AG44]	
FED123011-6	Air ODSs–SNAP	12/20/2011	76 FR 78832	Final Rule	U.S. Environmental Protection Agency Protection of Stratospheric Ozone: Listing of Substitutes for Ozone-Depleting Substances--Hydrocarbon Refrigerants [40 CFR Part 82] Final rule lists the following: <ul style="list-style-type: none"> Isobutane (R-600a) and R-441A as acceptable, subject to use conditions, as substitutes for CFC 12 and HCFC 22 in household refrigerators, freezers, and combination refrigerators and freezers Propane (R-290) as an acceptable substitute for CFC 12, HCFC 22, and R-502 in retail food refrigerators and freezers (stand-alone units only) Effective 02/21/2012. [RIN 2060-AP54]	
FED123011-7	Hazardous Materials Transportation	12/28/2011	76 FR 81396	Notice	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Miscellaneous Amendments; Response to Appeals; Corrections [49 CFR Parts 172 and 173] Announces the following: <ul style="list-style-type: none"> Corrects errors in pictorial display of labels. Eliminates references to transitional provisions that previously were removed from the HMR. Clarifies shipping paper amendments. Corrects an editorial error. Extends effective date of certain shipping paper amendments adopted in the final rule (76 FR 43510, 07/20/2011). Effective 12/28/2011. [RIN 2137-AE84]	
FED123011-8	Hazardous Materials Transportation	12/30/2011	76 FR 82163	Final Rule	Pipeline and Hazardous Materials Safety Administration, Department of Transportation Hazardous Materials: Harmonization With the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air [49 CFR Parts 172, 173, 175, and 176] Final rule corrects typographical and other minor errors adopted in an international harmonization final rule (76 FR 3308 , 01/19/2011). Effective 01/01/2012. [RIN 2137-AE76]	
FED123011-9	Munitions	12/23/2011	76 FR 80305	Proposed Rule	Department of State Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XX [22 CFR Parts 121, 123, 124, and 125] Proposes to revise the submersible vessels and related articles regulations of the USML. Comments due 02/06/2012. [RIN 1400-AD01]	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED123011-10	Occupational Safety	12/26/2011	76 FR 80735	Notice	Occupational Safety and Health Administration Corrections and Technical Amendments to 16 OSHA Standards [29 CFR Parts 1910, 1915, and 1926] Announces the correction of typographical errors and technical amendments to 16 OSHA standards in reference to recordkeeping log numbers. Effective 12/27/2011.	
FED123011-11	Technology Spectrum Research	12/29/2011	76 FR 81991	Notice Workshop	National Science Foundation National Spectrum Sharing Research Experimentation, Validation, Verification, Demonstration and Trials: Technical Workshop II on Coordinating Federal Government/Private Sector Spectrum Innovation Testing Needs Announces a meeting to define the concept and requirements of national level spectrum research, development, demonstration, and field trial facilities. Agenda is available for review. Workshops are scheduled for 01/17/2012 through 01/18/2012 in Berkeley, California.	
FED123011-12	Toxic Substances	12/28/2011	76 FR 81441	Proposed Rule	U.S. Environmental Protection Agency Proposed Significant New Use Rules on Certain Chemical Substances [40 CFR Part 721] Proposes SNURs for the following chemical substances: <ul style="list-style-type: none"> ▪ Rutile, tin zinc, calcium-doped ▪ Rutile, tin zinc, sodium-doped This action would require notification to EPA at least 90 days before commencing an activity that is designated as a significant new use activity in which the substances is manufactured, imported, or processed. Comments due 01/27/2012. [RIN 2070-AB27]	
FED123011-13	Toxic Substances	12/28/2011	76 FR 81447	Proposed Rule	U.S. Environmental Protection Agency Proposed Significant New Use Rules on Certain Chemical Substances [40 CFR Part 721] Proposes SNURs for 17 substances, including substances based on fullerene and nanotube technologies. This action would require notification to EPA at least 90 days before commencing an activity that is designated as a significant new use activity in which the substances is manufactured, imported, or processed. Comments due 01/27/2012. [RIN 2070-AB27]	
FED123011-14	Toxic Substances Asbestos	12/23/2011	76 FR 80368	Notice	U.S. Environmental Protection Agency Notification of a Public Meeting of the Science Advisory Board Libby Amphibole Asbestos Review Panel Announces a public face-to-face meeting to review EPA's draft Toxicological Review of Libby Amphibole Asbestos (August 2011) . The meeting is scheduled for 02/06/2012 through 02/08/2012 in Alexandria, Virginia.	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED123011-15	Water NPDES	12/23/2011	76 FR 80366	Notice	U.S. Environmental Protection Agency Availability of an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) Announces availability of an EA to analyze the potential environmental impacts related to the reissuance of the NPDES General Permit for Discharges from Construction Activities. The EA evaluates the potential environmental impacts from the discharge of pollutants associated with stormwater runoff from construction activities greater than 1 acre, where EPA is the permitting authority. On the basis of the environmental impact analysis in the EA, EPA has made a preliminary determination that no significant environmental impacts are anticipated from the issuance of the permit. Comments due 01/23/2012.	
FED123011-16	Water Water Quality	12/21/2011	76 FR 79176	Notice	U.S. Environmental Protection Agency Notice of Availability of Draft Recreational Water Quality Criteria and Request for Scientific Views Announces availability of the draft document Recreational Water Quality Criteria , which contains EPA's draft ambient water quality criteria recommendations for protecting human health in ambient waters that are designated for primary contact recreation. Comments due 02/21/2012.	

1.2 Other News and Developments

1.2.1 ECHA Adds SVHCs to Candidate List and Recommends Substances for Authorization

On 19 December 2011, the European Chemicals Agency (ECHA) added 20 Substances of Very High Concern (SVHCs) to the Candidate List under the EU's Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) regulation ([Regulation No 1907/2006 for Registration, Evaluation, Authorization and Restriction of Chemicals](#)). Substances on the SVHC Candidate List might be subject to additional reporting requirements and might be evaluated for more stringent regulation in the EU. Although such requirements do not affect operations in the U.S. directly, they can affect the global supply chain and reduce the availability of regulated materials.

The substances identified as SVHCs and added to the Candidate List are as follows:

Substance Name	CAS Number	SVHC Property
1,2-Dichloroethane	107-06-2	carcinogenic
2,2'-Dichloro-4,4'-methylenedianiline	101-14-4	carcinogenic
2-Methoxyaniline; o-Anisidine	90-04-0	carcinogenic
4-(1,1,3,3-Tetramethylbutyl)phenol	140-66-9	equivalent level of concern having probable serious effects to the environment
Aluminosilicate Refractory Ceramic Fibres (certain types)		carcinogenic
Arsenic acid	7778-39-4	carcinogenic
Bis(2-methoxyethyl) ether	111-96-6	toxic for reproduction
Bis(2-methoxyethyl) phthalate	117-82-8	toxic for reproduction
Calcium arsenate	7778-44-1	carcinogenic
Dichromium tris(chromate)	24613-89-6	carcinogenic
Formaldehyde, oligomeric reaction products with aniline	25214-70-4	carcinogenic
Lead diazide, Lead azide	13424-46-9	toxic for reproduction
Lead dipicrate	6477-64-1	toxic for reproduction
Lead styphnate	15245-44-0	toxic for reproduction
N,N-dimethylacetamide	127-19-5	toxic for reproduction
Pentazinc chromate octahydroxide	49663-84-5	carcinogenic
Phenolphthalein	77-09-8	carcinogenic
Potassium hydroxyoctaoxodizincatedichromate	11103-86-9	carcinogenic
Trilead diarsenate	3687-31-8	carcinogenic & toxic for reproduction
Zirconia Aluminosilicate Refractory Ceramic Fibres (certain types)		carcinogenic

On 21 December 2011, ECHA submitted a recommendation to the European Commission to add 13 SVHCs to the REACH "Authorization List." Substances on the Authorization List cannot be placed on the market or used in the EU without authorization.

The substances being recommended for addition to the Authorization List are as follows:

- Trichloroethylene
- Acids generated from chromium trioxide and their oligomers (group containing chromic acid, dichromic acid, oligomers of chromic acid and dichromic acid)
- Ammonium dichromate
- Chromium trioxide
- Potassium chromate
- Potassium dichromate
- Sodium chromate
- Sodium dichromate
- Cobalt dichloride
- Cobalt(II) carbonate
- Cobalt(II) diacetate
- Cobalt(II) dinitrate
- Cobalt(II) sulphate

More information about REACH and the Authorization process is posted on the ECHA [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2012 will be held on the following Wednesdays at 10 a.m. CT:

- 18 January
- 15 February
- 21 March
- 18 April
- 16 May
- 20 June
- 18 July
- 15 August
- 19 September
- 17 October
- 21 November

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL123011-1	Air NSPS, NESHAPs	12/25/2011	Public Notice 350	Notice Hearing	Alabama Department of Environmental Management Air Pollution Control Program [AAC 335-3] Announces a public hearing to discuss proposed amendments to the Division 3 Code, which would incorporate by reference changes to EPA's NSPS and NESHAPs. Proposed rules and summary of reasons are available for review. Public hearing is scheduled for 02/08/2012 in Montgomery, Alabama. Comments due 02/10/2012.	

2.1.1 23rd Annual Nonpoint Source Conference

ADEM is scheduled to host the 23rd Annual Nonpoint Source Conference on 24 January 2012 in Montgomery, Alabama. Conference registration deadline is 13 January 2012. Conference topics could include the following:

- Green infrastructure projects
- Watershed projects and plans
- Partners and partnerships
- Urban stormwater management

[Conference agenda](#) and additional information are available for review.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA123011-1	Air Cap and Trade	12/23/2011	CRNR 2011, 51z, p. 2057	Final Rule	California Air Resources Board Cap and Trade Program [17 CCR ADOPT: 95801, 95802, 95810, 95811, 95812, 95813, 95814, 95820, 95821, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95850, 95851, 95852, 95852.1, 95852.1.1, 95852.2, 95853, 95854, 95855, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95940, 95941, 95942, 95970, 95971, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95977.2, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95982, 95983, 95984, 95985, 95986, 95987, 95988, 95990, 95991, 95992, 95993, 95994, 95995, 96010, 96011, 96012, 96013, 96014, 96020, 96021, 96022] Adopts regulations to implement a cap and trade program for the reduction of GHGs, implementing the Global Warming Solutions Act of 2006 (AB 32). Effective 01/01/2012.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA123011-2	Air GHG-Mandatory Reporting	12/23/2011	CRNR 2011, 51z, p. 2058	Final Rule	<p>California Air Resources Board</p> <p>Mandatory Reporting of Greenhouse Gas Emissions Regulation [17 CCR ADOPT: 95116, 95117, 95118, 95119, 95120, 95121, 95122, 95123, 95129, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157 AMEND: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115, 95130, 95131, 95132, 95133 REPEAL: 95125]</p> <p>Amends and adopts provisions for the mandatory reporting of GHG emissions to make them consistent with EPA's national GHG reporting requirements and to ensure accuracy in reporting to support a California GHG market-based cap-and-trade system. Effective 01/01/2012.</p>	
CA123011-3	Air Vehicles	12/23/2011	CRNR 2011, 51z, p. 2057	Final Rule	<p>California Air Resources Board</p> <p>Off-Road Diesel-Fueled Fleets and Large Spark-Ignition Engine Fleet Requirements [13 CCR AMEND: 2449, 2449.1, 2449.3 (renumbered to 2449.2), 2775, 2775.1, 2775.2 REPEAL: 2449.2]</p> <p>Amends regulations for In-Use Off-Road Diesel-Fueled Fleets and for Large Spark-Ignition Engine Fleet Requirements to provide additional compliance flexibility while California meets its obligations to attain federal ambient air quality standards. The amendments simplify the regulations' requirements and provide fleets with more compliance options in deciding how and when to bring their vehicles into compliance. Effective 12/14/2011.</p>	
CA123011-4	Air SIP-Ozone	12/30/2011	76 FR 82133	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; California; Determinations of Failure To Attain the One-Hour Ozone Standard [40 CFR Part 52]</p> <p>Finalizes the determination that three jurisdictions in California—South Coast, San Joaquin Valley, and Southeast Desert—did not meet the attainment dates for the 1-hour ozone NAAQS that has since been revoked. These areas are still required to:</p> <ul style="list-style-type: none"> ▪ Implement additional contingency measures ▪ Set up Section 185 fees for major sources of VOCs and NO_x. <p>Effective 01/30/2012.</p>	
CA123011-5	Air GHGs - Trucks	12/23/2011	CRNR 2011, 51z, p. 2057	Final Rule	<p>California Air Resources Board</p> <p>Part 2: Truck/Bus 2010: Tractor-Trailer Regulation [17 CCR ADOPT: 95312 AMEND: 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311]</p> <p>Amends and adds sections that comprise the Heavy-Duty Vehicle Greenhouse Gas Emission Reduction (Tractor-Trailer GHG) regulation. Fleets currently have the option of retrofitting vehicles by either early compliance or a phase-in compliance schedule. Amendments provide fleets another opportunity to opt in to the phase-in compliance option and also provides fleets with additional flexibility in meeting the requirements, such as easing reporting requirements and including various temporary, short-term exemptions for specific circumstances. Effective 01/11/2012.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA123011-6	Air Truck/Bus	12/23/2011	CRNR 2011, 51z, p. 2057	Final Rule	California Air Resources Board Part 3: Truck and Bus Regulation [13 CCR 2025] Amends sections to provide some degree of economic relief to the industry by providing greater flexibility for complying with the regulation while maintaining state compliance with air quality standards. Effective 12/14/2011.	
CA123011-7	Toxic Substances	12/30/2011	CRNR 2011, 52z, p. 2102	Final Rule	Office of Environmental Health Hazard Assessment Green Chemistry Hazard Traits [22 CCR ADOPT: 69401, 69401.1, 69401.2, 69402, 69402.1, 69402.2, 69402.3, 69402.4, 69402.5, 69402.6, 69403, 69403.1, 69403.2, 69403.3, 69403.4, 69403.5, 69403.6, 69403.7, 69403.8, 69403.9, 69403.10, 69403.11, 69403.12, 69403.13, 69403.14, 69403.15, 69403.16, 69403.17, 69404, 69404.1, 69404.2, 69404.3, 69404.4, 69404.5, 69404.6, 69404.7, 69404.8, 69404.9, 69404.10, 69405, 69405.1, 69405.2, 69405.3, 69405.4, 69405.5, 69405.6, 69405.7, 69405.8, 69406, 69406.1, 69406.2, 69406.3, 69407, 69407.1, 69407.2] Implements a portion of AB 504, Chapter 560 of 2008, by specifying four hazard traits (toxicological, environmental, exposure potential, and physical) of chemicals used in consumer products. DTSC will use these hazard trait data in the development of the Toxics Information Clearinghouse. Effective 01/19/2012. The Toxics Information Clearinghouse is a decentralized, Web-based system for the collection, maintenance, and distribution of specific chemical hazard trait and environmental and toxicological end-point data.	
CA123011-8	Toxic Substances Proposition 65 - Methylisopropyl Ketone	12/30/2011	CRNR 2011, 52z, p. 2097	Notice	Office Of Environmental Health Hazard Assessment Notice of Intent to List Methylisopropyl Ketone Announces the intent to list methylisopropyl ketone as known to the state to cause reproductive toxicity. Comments due 01/30/2012.	
CA123011-9	Species	12/23/2011	CRNR 2011, 51z, p. 2059	Final Rule	Fish And Game Commission Marine Protected Areas [14 CCR 632] Finalizes the following changes: <ul style="list-style-type: none"> Implements the Marine Life Protection Act in the south coast region Eliminates several MPAs, establishes several new MPAs, renames a few MPAs, and revises the borders of some MPAs, resulting in a total of 36 MPAs in the south coast region. Effective 01/01/2012.	
CA123011-10	Water San Francisco Bay Plan	12/30/2011	CRNR 2011, 52z, p. 2102	Final Rule	San Francisco Bay Conservation and Development Commission San Francisco Bay Plan [14 CCR 11900] Amends the San Francisco Bay Plan to update findings and policies for various topics covered by the Bay Plan, including Tidal Marsh and Tidal Flats, Climate Change, Safety of Fills, Shoreline Protection, and Public Access. Effective 12/20/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA123011-11	Water TMDL	12/30/2011	CRNR 2011, 52z, p. 2102	Final Rule	State Water Resources Control Board TMDL for Indicator Bacteria in the Santa Clara River Approves the Los Angeles RWQCB's amendments of the Los Angeles Regional Basin Plan that were adopted on 07/08/2010. The amendments establish a TMDL for indicator bacteria in the Santa Clara River Estuary and Reaches 3, 5, 6, and 7 that: <ul style="list-style-type: none"> ▪ Sets numeric targets for indicator bacteria based on numeric water quality objectives provided in the Basin Plan. ▪ Establishes final waste load allocations for point source discharges, final load allocations for nonpoint source discharges, and interim final load allocations for storm sewer system discharges. Effective 12/19/2011.	
CA123011-12	Water Water Quality	12/01/2011	RWQCB Website	Notice	Regional Water Quality Control Board Los Angeles 2011-2013 Triennial Review Announces the release of revised list of the highest-priority issues regarding water quality standards for the Los Angeles Region. Draft staff report and tentative resolutions are available for comment. Hearing scheduled for 02/02/2012 in Los Angeles, California.	

2.2.1 Water Board Pursues Mercury Standards for Reservoirs

In 2012, the State Water Resources Control Board intends to start discussions about creating a regulatory control program for mercury contamination in California reservoirs. A list of those reservoirs affected by mercury is available on the [website](#); any future notices for meeting announcements also will be posted.

2.2.2 California Air Districts Regulatory Review

2.2.2.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.2.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

2.2.2.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.2.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.2.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS123011-1	Air SIP-NO _x , SO _x	12/20/2011	76 FR 78829	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR Part 52] Direct final rule approves revisions to the SIP for SO _x and NO _x emissions from facilities emitting more than 4 tons per year in 1990 or in subsequent years that are part of the RECLAIM program. Changes include the removal of the requirement to hold sufficient RTCs to offset emission increases at the beginning of the second and any subsequent years. Comments due 01/19/2012. Effective 02/21/2012.	

2.2.2.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the Florida.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL123011-1	Water Monitoring	12/30/2011	FAW Notice #10840446	Notice Meeting	Department of Environmental Protection Florida Water Resources Monitoring Council Monitoring Catalog Workgroup Announces a teleconference to discuss online catalogs and atlases for consideration in developing a Florida-based Catalog of Monitoring Programs. Teleconference is scheduled for 01/11/2012.	
FL123011-2	Water SJRWMD	12/22/2011	FAW Notice #10819009	Notice Meeting	St. Johns River Water Management District Governing Board Meeting Announces a meeting to discuss regulatory and non-regulatory matters. Agenda to be posted before the meeting. Meeting scheduled for 01/10/2012 in Palatka, Florida.	
FL123011-3	Water SJRWMD-CUPs	12/22/2011	FAW Notice #10814935	Notice	St. Johns River Water Management District Permitting of Consumptive Uses of Water [Chapters 40C-2.101, 40C-2.331, and 40C-2.900, F.A.C.] Announces changes to definitions and the district address in the proposed rule (FAW Notice #10305685 , 08/19/2011), which streamlined CUP modifications and processes, and clarified definitions.	
FL123011-4	Water SJRWMD-CUPs	12/30/2011	FAW Notice #10838894	Notice Rulemaking	St. Johns River Water Management District Publications Incorporated by Reference [Chapter 40C-2.101, F.A.C.] Announces rule development to address CUP criteria and conditions related to the reuse of reclaimed water. Preliminary text is available for review. Workshop is scheduled for 02/01/2012 through 02/02/2012 in Jacksonville, Florida.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL123011-5	Water Surface Water	12/22/2011	FAW Notice #10800579	Notice	Department of Environmental Protection Surface Water Quality Standards [Chapter 62-302, F.A.C.] Announces changes to definitions in the proposed rule (FAW Notice #10599013 , 11/10/2011), which established numeric interpretations of the narrative surface water criterion for nutrients in 62-302.530(47)(b), F.A.C.	
FL123011-6	Water Surface Water	12/22/2011	FAW Notice #10800870	Notice	Department of Environmental Protection Identification of Impaired Waters [Chapter 62-303, F.A.C.] Announces changes to correct technical errors in the proposed rule (FAW Notice #10600080 , 11/10/2011) that proposed the following changes: <ul style="list-style-type: none"> Revise impairment thresholds. Establish assessment methodologies for numeric interpretations of the narrative surface water criterion for nutrients. Establish a new list type. 	
FL123011-7	Water Water Quality	12/22/2011	76 FR 79604	Proposed Rule	U.S. Environmental Protection Agency Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters [40 CFR Part 131] Proposes to extend the 03/06/2012 effective date of the "Water Quality Standards for the State of Florida's Lakes and Flowing Waters; Final Rule" to 06/04/2012. Comments due 01/23/2012. [RIN 2040-AF36]	

2.4 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Louisiana.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA123011-1	Water TMDLs	12/23/2011	76 FR 80366	Notice	U.S. Environmental Protection Agency Clean Water Act Section 303(d): Availability of One Total Maximum Daily Load (TMDL) in Louisiana Announces availability of administrative record files and calculations for the Subsegment 041401: New Orleans East Leveed waterbodies for Dissolved Oxygen. EPA will then forward the TMDLs to LDEQ to incorporate the TMDLs into its current water quality management plan. Comments due 02/06/2012.	

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland. As of October 2011, the *Maryland Register* is no longer posting current versions of the register on its website on the date of publication, but delays posting for at least 1 week or longer. Information listed in the following table from the *Maryland Register* might not immediately be available online for review. The *Maryland Register* will continue to maintain web postings of the eight most recent .pdf versions of the register on its website for a limited time.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD123011-1	Toxic Substances Lead	12/30/2011	38:27 Md.R. 1762	Final Rule	Department of the Environment Accreditation and Training for Lead Paint Abatement Services [COMAR 26.16.01.02, .03 and .11]; Reduction of Lead Risk in Housing [COMAR 26.16.02.03 and .07]; Procedures for Performing Lead Abatement Services [COMAR 26.16.05.08] Emergency final rule implements the provisions of HB 1033 Environment-Risk in Housing-Risk Reduction Standards. Amends requirements for lead hazard reduction treatment, visual inspections, performance standards for residential buildings and child care centers, and notification requirements. Emergency status effective 01/01/2012. Comments due 01/30/2012.	

2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.7 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM123011-1	Water Surface Water	12/15/2011	NMED SWQB Website	Notice	Surface Water Quality Bureau, New Mexico Environment Department State of New Mexico Standards for Interstate and Intrastate Surface Waters [20.6.4 NMAC] Announces availability of the draft 2012-2014 State of New Mexico Clean Water Act Sections 303(d)/305(b) Integrated List of Assessed Surface Waters , which includes designated uses for Surface Waters and Standards for Interstate and Intrastate Surface Waters [20.6.4 NMAC]. Comments due 1/30/2012.	

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH123011-1	Air Permitting– GHGs	12/30/2011	DAPC Website– What's New	Proposed Rule	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Permits to Install for Major Stationary Sources and Major Modifications of Sources Emitting Greenhouse Gases [OAC 3745-31-34]; Title V Permits for Major Sources Emitting Greenhouse Gases [OAC 3745-77-11]</p> <p>Proposes amended GHG Tailoring Rules for Ohio's NSR and Title V permitting programs, including, but not limited to, the following:</p> <ul style="list-style-type: none"> Exemptions for facilities using biomass as a fuel Rules equivalent to, but no more stringent than, the federal GHG Tailoring Rules <p>Further details regarding the proposed rule, including the rule language, public hearing notice, and synopsis, are available on the OEPA website. Public hearing is scheduled for 02/08/2012 at the OEPA Offices, Columbus, Ohio. Comments due 02/08/2012.</p>	
OH123011-2	Water NPDES– Industrial Activity	12/20/2011	DSW Website– What's New	Notice	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Final NPDES General Permit–Storm Water Discharges Associated with Industrial Activity (Multi-Sector General Permit)</p> <p>Announces availability of the Final NPDES General Permit for Storm Water Discharges Associated with Industrial Activity. This permit is available for new and existing point source discharges of storm water associated with industrial activity to surface waters of the state. Public notice, response to comments, and fact sheet, are available for review on the OEPA website. Effective 01/01/2012.</p>	
OH123011-3	Water Water Quality	12/28/2011	DSW Website– What's New	Notice	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Section 401 Water Quality Certifications [OAC 3745-32 and 3745-45]</p> <p>Announces availability of amended water quality rules to:</p> <ul style="list-style-type: none"> Establish a state water quality permit to provide a permitting mechanism for isolated streams and lakes. Establish antidegradation requirements for the state water quality permit program and limited components of the isolated wetlands permit program. Move antidegradation requirements in an effort to clarify the requirements that apply to these programs. Combine and enhance procedural rules that help address historical procedural ambiguities within the program. Rescind Rule 3745-45-02 because certification fees are now incorporated into state law. <p>Further details regarding the proposed rules, including the rule language, public notice, letter to interested parties, and fact sheet, are available on the OEPA website. Public hearing is scheduled for 02/01/2012 at the OEPA Offices, Columbus, Ohio. Comments due 02/24/2012.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH123011-4	Water Water Quality Standards	12/28/2011	DSW Website- What's New	Proposed Rule	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Water Quality Standards [OAC 3745-1]</p> <p>Announces Water Quality Standard amendments, including the following:</p> <ul style="list-style-type: none"> ▪ New beneficial use designations for aquatic life and recreation ▪ Statewide application of human health criteria based on maximum contaminant levels ▪ New and revised aquatic life criteria for six chemicals ▪ Inclusion of updated Ohio River Valley Water Sanitation Commission Pollution Control Standards ▪ Nutrient design standards for new wastewater treatment plants ▪ Separation of antidegradation requirements for dredge and fill projects into a new rule in OAC 3745-32 <p>Further details regarding the proposed rules, including the rule language, public notice, letter to interested parties, and fact sheet, are available on the OEPA website. Public hearing is scheduled for 02/01/2012 at the OEPA Offices, Columbus, Ohio. Comments due 02/24/2012.</p>	

2.8.1 OEPA's 2011 Hazardous Waste Annual Report Forms and Instructions

The OEPA Division of Materials and Waste Management announced that the 2011 version of the Hazardous Waste Annual Report Instructions and Forms will be available the first week of January 2012. The forms did not change for 2011.

2.9 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Texas.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX123011-1	Air SIP	12/28/2011	76 FR 81371	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Disapproval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transport Requirements for the 1997 Ozone and the 1997 and 2006 PM_{2.5} NAAQS [40 CFR Part 52]</p> <p>Partially approves and partially disapproves Texas SIP revisions that address the infrastructure elements necessary to implement, maintain, and enforce the 1997 8-hour ozone and 1997 and 2006 PM_{2.5} NAAQS. SIP revisions include the following:</p> <ul style="list-style-type: none"> ▪ Addresses the requirement that the Texas SIP have adequate provisions to prohibit air emissions from adversely affecting another state's air quality through interstate transport ▪ Partially disapproves because Texas has stated it cannot issue permits for and does not intend to regulate GHG emissions ▪ Approves SIP revisions that modify the Texas SIP for prevention of significant deterioration to include NO_x as an ozone precursor <p>Effective 01/27/2012.</p>	

2.10 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA123011-1	Natural Resources VCP	12/22/2011	VDEQ Website	Notice	Virginia Department of Environmental Quality Federal Consistency Determination: North Wallops Island Unmanned Aerial Systems Airstrip Announces availability of the federal action to construct an unmanned aerial systems airstrip at WFF for review, to determine whether this action is consistent with Virginia's Coastal Zone Management Program. Comments due 01/20/2012.	WFF should be aware of this action.
VA123011-2	Waste Hazardous Waste	12/19/2011	28:8 VA.R. 759-761	Notice	Virginia Department of Environmental Quality Waste Management Board Schedule of Fees for Hazardous Waste Facility Site Certification [9VAC20-20], Technical Assistance Fund Administrative Procedures [9VAC20-30], Administrative Procedures for Hazardous Waste Facility Site Certification [9VAC20-40], Hazardous Waste Facility Siting Criteria [9VAC20-50] Announces a periodic review of regulations to evaluate whether the regulations should be terminated, amended, or retained in their current form. Comments due 01/09/2012.	